

Application No.: 10/719,587

8

Docket No.: 55862CIP(46342)

of polypeptide comprising the amino acid sequence presented in SEQ ID NO:50, and fragments thereof, classification undeterminable.

XLVI. Claims 78 to 82, only in so far as they are drawn to a method of treating by administering a compound of unspecified constitution that inhibits the activity of polypeptide comprising the amino acid sequence presented in SEQ ID NO:54, and fragments thereof, classification undeterminable.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent. Because the amino acid represented by SEQ ID NO: 1 includes amino acid sequences represented by SEQ ID NO: 8, SEQ ID NO: 14, SEQ ID NO: 18, SEQ ID NO: 33 and SEQ ID NO: 50, there is some degree of overlap in the searches for Groups I to VI.

If the Examiner is aware of another method to make the product as claimed, using a process which is materially different from that set forth in the restricted claims, applicant respectfully requests the Examiner to substantiate his position in greater detail. Otherwise, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-82 presently pending in this application be examined.

Dated: February 9, 2006

Respectfully submitted,

By Kathryn A. Piffat, Ph.D.
Kathryn A. Piffat, Ph.D.Registration No.: 34,901
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorneys/Agents For Applicant